

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW
YORK

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AURELIO FLORES MORENO and
LUCINO MORALES VICTORIA
*individually and on behalf of others similarly
situated,*

Plaintiffs,
-against-

JJ FOOD MARKET CORP. (d/b/a JJ FOOD
MARKET), and JULIAN RAMOS.

Defendants.

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USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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17-cv-09439-LTS-KNF

**✓ PROPOSED DEFAULT
JUDGMENT**

On December 1, 2017, this action was commenced by Plaintiffs' filing of the Complaint. (Dkt. No. 1). The summons and Complaint in this action having been duly served on the Corporate Defendant JJ Food Market Corp. (d/b/a JJ Food Market) and said Defendant having failed to plead or otherwise defend in this action, and said default having been duly noted, and upon the annexed declaration of default judgment,

NOW, on motion of Plaintiffs, by their attorneys Michael Faillace & Associates, P.C., it is hereby ORDERED, ADJUDGED AND DECREED:

That the Plaintiffs have judgment jointly and severally against the Corporate Defendant JJ Food Market Corp. (d/b/a JJ Food Market) by default, in the amounts that follow, including compensatory damages and permissible liquidated damages and prejudgment interest, all computed as provided in 28 U.S.C. § 1961(a):

For Plaintiff Aurelio Flores Moreno: \$348,973.66, which includes prejudgment interest on back wages and spread of hours owed upon the amount of \$136,392.50 at the rate of 9% per annum from March 1, 2012 to the date of judgment, which is calculated to be \$65,078.65.

For Plaintiff Lucino Morales Victoria: \$441,551.44, which includes prejudgment interest on back wages and spread of hours owed upon the amount of \$175,380.31 at the rate of 9% per annum

from November 1, 2011 to the date of judgment, which is calculated to be \$80,790.82.

That the Plaintiffs are awarded attorney's fees in the amount of \$7,415.00 and costs in the amount of \$516.20, all computed as provided in 28 U.S.C. § 1961(a).

That the Plaintiffs are awarded post judgment interest, as calculated under 28 U.S.C. §1961.

That if any amounts remain unpaid upon the expiration of ninety days following issuance of judgment, or ninety days after expiration of the time to appeal and no appeal is then pending, whichever is later, the total amount of judgment shall automatically increase by fifteen percent, as required by NYLL § 198(4).

Dated: New York, New York
November 26, 2019



JUDGE LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE